

REMARKS

Claims 1-3, 5-17 and 19-22 are pending. Claims 1, 5, 7, 8, 11, 14, 16, 19, 21 and 22 have been amended. Claims 4 and 18 have been canceled.

Claim Rejections - 35 U.S.C. § 102(e)

The Patent Office rejected claims 1-22 under 35 U.S.C. 102(e) as being anticipated by Crow, U.S. Patent 6,442,651 (Crow).

Applicant respectfully traverses. Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assocs. v. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). Further, “anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)). Emphasis added.

Applicant respectfully submits claims 1, 11 and 16 include elements that have not been disclosed by Crow. For instance, claims 1, 11 and 16 recite receiving a message at said first storage device from said second storage device when said copy associated with said first content request is present at said first storage device and is modified at said second storage device. When the original copy associated with the content request has been altered, the original copy being stored at the second storage device, it may be desirable to ensure later requests for the same content may obtain the latest updates to the requested content. A message may be sent from the second storage device to the first storage device for notification of the altered or modified content. (Instant Application, Page 6, Last Paragraph Extending to Page 7). This is advantageous as the copy present at the first storage device may be instantly updated or invalidated when the change occurs to the copy present at the second storage device.

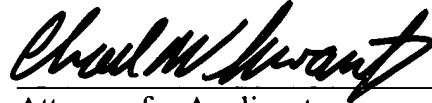
Crow fails to teach, disclose or suggest receiving a message at said first storage device from said second storage device when said copy associated with said first content request is present at said first storage device and is modified at said second storage device. The Patent Office points to Column 4, lines 59-60 for its assertion that Crow discloses the elements of claim 4. However, in this passage, the cache (first storage device) sends a request to the server device (second storage device) for a copy of the web object 114. The server device (second storage device) can respond with a new copy or with a message that the copy of the web object has not changed. Thus, a change will only occur when the cache (first storage device) transmits a request to the server device 130, (second storage device) which is only done periodically. (Crow, Column 4, Lines 52-53).

This is contrary to the recited elements of claims 1, 11 and 16. Claims 1, 11 and 16 recite receipt of a message by the first storage device when the copy has been modified at the second storage device. In Crow, the data may only be periodically refreshed whereby claims 1, 11 and 16 recite a notification of a modified copy at the second storage device, when the change occurs. Consequently, elements of claims 1, 11 and 16 have not been taught, disclosed or suggested by Crow. Under *Lindemann*, a *prima facie* case of anticipation has not been established for claims 1, 11 and 16, thus claims 1, 11 and 16 are believed allowable. Claims 2-3, 5-10, 12-15, 17 and 19-22 are believed allowable due to their dependence upon an allowable base claim.

CONCLUSION

In light of the forgoing amendments and arguments, reconsideration of the claims is hereby requested, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chad W. Swantz", written over a horizontal line.

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